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In Propria Persona

**UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

TODD R. G. HILL, et al,

Plaintiffs

vs.

**THE BOARD OF DIRECTORS,
OFFICERS AND AGENTS AND
INDIVIDUALS OF THE PEOPLES
COLLEGE OF LAW, et al.,**

Defendants.

CIVIL ACTION NO. 2:23-cv-01298-JLS-BFM

The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

**PLAINTIFF'S OBJECTION TO IMPROPER
PARTICIPATION BY DISMISSED PARTY
(STATE BAR DEFENDANTS)**

NO ORAL ARGUMENT REQUESTED

**PLAINTIFF'S OBJECTION TO IMPROPER PARTICIPATION BY DISMISSED PARTY
(STATE BAR DEFENDANTS)**

CASE 2:23-CV-01298-JLS-BFM

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1 **PLAINTIFF’S OBJECTION TO IMPROPER PARTICIPATION BY DISMISSED PARTY**
2 **(STATE BAR DEFENDANTS)**

3
4 TO THE HONORABLE COURT AND ALL PARTIES OF RECORD:

5 Plaintiff Todd R.G. Hill respectfully files this formal objection to the State Bar of California’s
6 attempt to participate in post-dismissal proceedings, specifically its inquiry into whether the Court
7 intends to set a deadline for opposition to Plaintiff’s Fed. R. Civ. P. 54(b) motion (Dkt. 334).

8
9 Plaintiff respectfully submits this objection solely to preserve the record and does not concede
10 that the State Bar of California, having been dismissed with prejudice, has standing or proper
11 authority to file any opposition under Rule 54(b). **Plaintiff does not request or join in any further**
12 **briefing and does not seek relief from the Court on this issue unless and until the State Bar is**
13 **granted leave to reappear or submit filings post-dismissal.**
14
15

16 A true and accurate copy of the referenced email chain, already in the Court’s own records, is
17 attached hereto as Exhibit A to facilitate the Court’s reference.
18

19 **I. BACKGROUND**

20 On June 25, 2025, Ryan Sullivan, Legal Assistant at the Office of General Counsel for the
21 State Bar of California, sent an email to Chambers and Plaintiff inquiring about the setting of an
22 opposition deadline to the pending Rule 54(b) motion. This motion seeks certification of final
23 judgment with respect to the State Bar Defendants’ prior dismissal with prejudice. A true and correct
24 copy of the email exchange is attached as **Exhibit A**.
25
26

27 **II. OBJECTION TO IMPROPER PARTICIPATION**

28 Under Business and Professions Code §§ 6001, 6001.2, and 6086.1, the State Bar of
California is a public corporation created by statute, bound by a statutory mandate to protect the

1 public and regulate the legal profession, and not vested with plenary litigation authority unless
2 directly acting within its regulatory mission. Additionally, under Gov't Code § 815.6 and case law,
3 public entities cannot defend themselves in civil actions beyond their statutory authorization.
4

5 The State Bar Defendants were dismissed with prejudice and are no longer parties to this
6 action. The Rule 54(b) motion does not seek reconsideration or alteration of that dismissal but rather
7 asks the Court to determine whether that dismissal is final for purposes of immediate appeal. That
8 determination lies solely within the Court's discretion and does not entitle the dismissed party to
9 oppose the motion, particularly when it has no further role in the pending litigation.
10
11

12 Moreover, under Fed. R. Civ. P. 17(a), the State Bar is not a real party in interest at this stage.
13 No rule or statute authorizes a public agency dismissed with prejudice to re-enter the case to oppose a
14 purely procedural certification of finality. To permit such participation would improperly enlarge the
15 State Bar's role beyond the scope of its statutory authority and could raise appearance-of-bias
16 concerns.
17
18

19 **III. THE STATE BAR'S INQUIRY STRONGLY IMPLIES AWARENESS OF**
20 **PROCEDURAL IMPROPRIETY**

21 The State Bar's inquiry, framed as a benign request for calendaring guidance from Chambers,
22 is a procedural feint designed to obscure its improper attempt to re-engage in this litigation. A party
23 acting in good faith and confident in its legal standing would have taken a formal, transparent path,
24 such as filing a noticed motion for leave to intervene or to file an amicus brief. Instead, the State Bar
25 opted for an informal, back-channel inquiry from a legal assistant, rather than counsel of record.
26 This choice of an indirect path over a formal one raises a critical question: If the State Bar believed
27 its participation was proper, why not seek it through a recognized legal motion? The only logical
28

1 inference is that the State Bar is aware of its tenuous standing as a dismissed party and sought to gain
2 a procedural foothold without subjecting its right to participate to formal judicial scrutiny.
3

4 This conduct is not a reasonable request for guidance; it is an attempt to circumvent the
5 statutory limits of its authority as a public entity and obstruct the finality of the Court's prior
6 dismissal order. Their apprehension is not about court deadlines, but about the appellate scrutiny that
7 a Rule 54(b) final judgment would facilitate. Plaintiff respectfully submits that this maneuver should
8 be recognized as an improper attempt to influence the proceedings and resist the finality to which
9 Plaintiff is entitled.
10

11 Plaintiff respectfully submits that this approach should be viewed in the context of Rule
12 54(b)'s core purpose: to facilitate orderly appellate review by clarifying finality. Allowing a
13 dismissed party to reinsert itself into post-dismissal proceedings without clear statutory authority or
14 formal motion practice would frustrate that purpose and create the perception that public entities may
15 manipulate procedural posture to avoid accountability. The Court should reject this tactic and
16 preserve the integrity of the final judgment framework.
17
18

19 **IV. RULE 54(B) CERTIFICATION CANNOT BE PREEMPTIVELY**
20 **OBSTRUCTED BY A DISMISSED ENTITY**

21 Rule 54(b) vests the authority solely in the Court to determine whether there is “no just reason
22 for delay” in entering final judgment on one or more claims or parties. This is not a merits-based
23 motion, nor one that reopens any issue already adjudicated. It is a certification of finality to allow
24 appellate review of what the Court has already ruled. The participation of a dismissed defendant not
25 only lacks a procedural basis—it also risks distorting the purpose of Rule 54(b) by converting a
26 judicial inquiry into an adversarial extension of previously adjudicated matters.
27
28

1 Indeed, permitting such opposition would create a dangerous precedent in which dismissed
2 public entities could obstruct appellate review of their conduct without any procedural accountability.
3 Notably, if the State Bar believed the dismissal order to be final and proper, it would have no stake in
4 resisting certification. Its actions suggest the opposite: an awareness that the record, if subjected to
5 appellate review, may reflect serious procedural irregularities and underlying misconduct. That risk,
6 however, does not justify a reentry into litigation by a statutorily constrained, dismissed party.
7

8 **V. PRESERVATION OF RIGHTS AND RECORD**

9 This objection is filed to formally preserve Plaintiff's rights. Should the Court allow the State
10 Bar to participate or oppose the motion, Plaintiff respectfully reserves the right to submit a full
11 procedural and statutory objection on the merits.
12

13 Plaintiff further objects to any procedural deadlines being extended or imposed based on the State
14 Bar's inquiry, which lacks a valid procedural or jurisdictional basis.
15

16 **VI. CONCLUSION**

17 The plaintiff respectfully reiterates that this objection is made solely to preserve the record
18 and does not concede that the State Bar of California, having been dismissed with prejudice, has
19 standing or proper authority to file any opposition under Rule 54(b). **Plaintiff does not request or**
20 **join in any further briefing and does not seek relief from the Court on this issue unless and**
21 **until the State Bar is granted leave to reappear or submit filings post-dismissal.**
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24 Consequently, the Court should:
25

- 26 1. Decline to permit opposition from the State Bar Defendants.
27
28

2. Proceed to adjudicate the pending Rule 54(b) motion based on the record, including relevant and outstanding FRE 201 motions, already submitted.
3. Preserve the procedural integrity of the post-dismissal phase by recognizing the limits of participation by a dismissed public entity.

Respectfully submitted,

Dated: June 25, 2025



Todd R. G. Hill
Plaintiff, In Propria Persona

STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1

The undersigned party certifies that this brief contains 1,180 words, which complies with the 7,000-word limit of L.R. 11-6.1.

Respectfully submitted,



June 25, 2025
Todd R.G. Hill
Plaintiff, in Propria Persona

Plaintiff's Proof of Service

This section confirms that all necessary documents will be properly served pursuant to L.R. 5-3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2) all pro se parties who have been granted leave to file documents electronically in the case pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P. 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.

Respectfully submitted,



June 25, 2025
Todd R.G. Hill
Plaintiff, in Propria Persona

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EXHIBIT A



Todd Hill <toddryangregoryhill@gmail.com>

Hill v. The Board of Directors, Case No. 2:23-cv-01298-JLS-BFM

4 messages

Sullivan, Ryan <Ryan.Sullivan@calbar.ca.gov>
To: BFM Chambers <bfm_chambers@cacd.uscourts.gov>
Cc: Todd Hill <toddryangregoryhill@gmail.com>

Wed, Jun 25, 2025 at 11:10 AM

Dear Ms. Howard,

I write on behalf of Helene Simvoulakis-Panos, counsel for the California State Bar Defendants, in this matter. Will the court be setting a deadline to file an opposition to the attached motion filed by plaintiff?

Thank you.

Ryan Sullivan (he/him/his)

Legal Assistant, Office of General Counsel

The State Bar of California | 180 Howard Street | San Francisco, CA 94105

415-538-2347 | ryan.sullivan@calbar.ca.gov

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2025.06.18_Dkt 334_Hill's Motion for Clarification and Entry of Partial Judgment.pdf
218K

Todd Hill <toddryangregoryhill@gmail.com>

Wed, Jun 25, 2025 at 11:36 AM

To: "Sullivan, Ryan" <Ryan.Sullivan@calbar.ca.gov>, "Krasilnikoff, Jean" <Jean.Krasilnikoff@calbar.ca.gov>, "Ko, Jennifer" <Jennifer.Ko@calbar.ca.gov>, "Simvoulakis-Panos, Helene" <Helene.Simvoulakis-Panos@calbar.ca.gov>
Cc: BFM Chambers <bfm_chambers@cacd.uscourts.gov>, JLSChambers <JLS_chambers@cacd.uscourts.gov>

Mr. Sullivan, Ms. Simvoulakis-Panos, Ms. Krasilnikoff, Ms. Ko and Ms. Howard,

RE: PLAINTIFF'S RESERVATION OF OBJECTION TO STATE BAR PARTICIPATION UNDER RULE 54(b)

Plaintiff respectfully notes that the California State Bar Defendants were dismissed with prejudice by the Court and are no longer parties to this action. The pending Rule 54(b) motion seeks only final judgment as to their prior dismissal and does not alter or seek reconsideration of that order. State Bar is not facially a party "in interest" under Fed. R. Civ. P. 17(a). Thus, under Fed. R. Civ. P. 54(b), the State Bar is not a proper party to file an opposition.

Because Rule 54(b) certification lies within the discretion of the Court to determine the finality of partial judgments, Plaintiff submits that the State Bar Defendants lack standing to oppose or appear in relation to that procedural determination. If the Court allows them to file an opposition, Plaintiff reserves all objections to their participation and may respond solely to preserve the record.

Furthermore, this attempted entry is a clear violation of the State Bar's limited authority under statute because no provision in the governing statutes authorizes post-dismissal opposition to a procedural Rule 54(b) motion. Accordingly, participation in opposition to such a motion would exceed the State Bar's lawful authority.

Under Business and Professions Code §§ 6001, 6001.2, and 6086.1, the State Bar of California is a public corporation created by statute, bound by a statutory mandate to protect the public and regulate the legal profession, and not vested with plenary litigation authority unless directly acting within its regulatory mission. Additionally, under Gov't Code § 815.6 and case law, public entities cannot defend themselves in civil actions beyond their statutory authorization.

Plaintiff respectfully submits that no deadline for opposition is appropriate in this context, notice is hereby given, and that the State Bar's inquiry should be denied or disregarded as improper. If the Court does permit participation, Plaintiff reserves the right to file a responsive objection to preserve the procedural and statutory record.

Sincerely,

Todd Hill, pro se plaintiff

On Wed, Jun 25, 2025 at 11:10 AM Sullivan, Ryan <Ryan.Sullivan@calbar.ca.gov> wrote:

Dear Ms. Howard,

I write on behalf of Helene Simvoulakis-Panos, counsel for the California State Bar Defendants, in this matter. Will the court be setting a deadline to file an opposition to the attached motion filed by plaintiff?

Thank you.

Ryan Sullivan (he/him/his)

Legal Assistant, Office of General Counsel

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415-538-2347 | ryan.sullivan@calbar.ca.gov

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